

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action mailed August 26, 2005. At the time of the Office Action, Claims 1-39 were pending in the Application. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Sections 102 Rejection

The Examiner rejects Claims 1-39 under 35 U.S.C. §102(e), as being anticipated by U.S. Publication No. 2002/0118644 issued to Moir (hereinafter "*Moir*"). Applicant respectfully requests reconsideration of this rejection of the above-mentioned claims. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. §2131.

Applicant respectfully submits that *Moir* does not disclose, teach, or suggest either expressly or inherently, each and every element of Claim 1. For example, *Moir* does not disclose, teach, or suggest "receiving logic from a remote site at the virtual machine; and verifying that the virtual machine may host the logic based on the parameters created during configuration." Instead, *Moir* discloses using a virtual machine to classify traffic based on classification rules and to "compil[e] the outcome of a number of discrete configuration steps into an indivisible rule, which instructs a network device how to behave." Paragraphs 0029, 0056. The *Moir* teachings that disclose compiling discrete configuration steps in no way suggest the verification technique described by Applicant. In fact, *Moir* does not even mention a verification technique in its disclosure. Because *Moir* fails to disclose, teach, or suggest at least these limitations, Applicant respectfully submits that *Moir* cannot anticipate Claim 1 under 35 U.S.C. §102(e). Thus, Applicant respectfully requests reconsideration and allowance of independent Claim 1 along with its dependents.

Independent Claims 13, 18, 30, and 37 each recite certain limitations that, for reasons substantially similar to those discussed with reference to independent Claim 1, *Moir* does not disclose, teach, or suggest. Therefore, Applicant respectfully requests reconsideration and allowance of independent Claims 13, 18, 30, and 37 together with their dependents.

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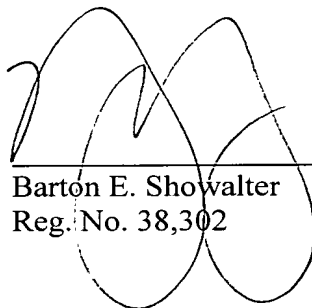
CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

Applicant believes no fee is due. However, if this is not correct, the Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact their attorney, Barton E. Showalter, at (214) 953-6509.

Respectfully submitted,
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Customer No. **05073**